

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

NOLAN CAIN,

Plaintiff,

vs.

AARON M. STANGER,

Defendant.

4:23CV3195

ORDER

This Court's local rules provide that, if a motion requires the Court to consider any factual matters not stated in the pleadings, a party supporting or opposing the motion must support the factual assertion with evidentiary materials. A party must also identify and authenticate any documents offered as evidence with an affidavit. NECivR. 7.1(a)(2), (b)(2).

On September 25, 2024, Plaintiff Nolan Cain filed a motion for sanctions. [Filing No. 55](#). Defendant did not timely respond. Upon review of Plaintiff's motion, the undersigned finds Plaintiff did not submit evidence in accordance with the applicable rules.

Accordingly,

IT IS ORDERED:

- 1) On or before November 27, 2024, Plaintiff shall file and serve evidentiary materials in support of his motion for sanctions in accordance with NECivR. 7.1. If Plaintiff fails to timely comply with this Order, the Court will rule on the pending motion without considering Plaintiff's evidence.

- 2) If Plaintiff timely files and serves evidentiary materials in compliance with this Order, on or before December 4, 2024, Defendant may file and serve evidentiary materials in opposition to Plaintiff's motion for sanctions in accordance with NECivR. 7.1. If Defendant fails to timely comply with this Order, the Court will rule on the pending motion without considering Defendant's evidence.

Dated this 21st day of November, 2024.

BY THE COURT:

s/ Jacqueline M. DeLuca

United States Magistrate Judge